

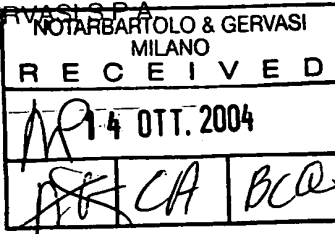
# PATENT COOPERATION TREATY

From the  
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

## PCT

To:

Gervasi, Gemma  
NOTARBARTOLO & GERVASI S.P.A.  
Corso di Porta Vittoria, 9  
I-20122 Milano  
ITALIE



NOTIFICATION OF TRANSMITTAL OF  
THE INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT

(PCT Rule 71.1)

Date of mailing  
(day/month/year)

12.10.2004

Applicant's or agent's file reference  
3595PTWO/AG/a

### IMPORTANT NOTIFICATION

International application No.  
PCT/EP 03/07897

International filing date (day/month/year)  
19.07.2003

Priority date (day/month/year)  
19.07.2002

Applicant  
DANIELI & C. OFFICINE MECCANICHE S.P.A.

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.
4. **REMINDER**

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

The applicant's attention is drawn to Article 33(5), which provides that the criteria of novelty, inventive step and industrial applicability described in Article 33(2) to (4) merely serve the purposes of international preliminary examination and that "any Contracting State may apply additional or different criteria for the purposes of deciding whether, in that State, the claimed inventions is patentable or not" (see also Article 27(5)). Such additional criteria may relate, for example, to exemptions from patentability, requirements for enabling disclosure, clarity and support for the claims.

Name and mailing address of the international  
preliminary examining authority:



European Patent Office  
D-80298 Munich  
Tel. +49 89 2399 - 0 Tx: 523656 epmu d  
Fax: +49 89 2399 - 4465

Authorized Officer

YASSINE, M

Tel. +49 89 2399-8241



# PATENT COOPERATION TREATY

# PCT

COMMUNICATION IN CASES FOR WHICH  
NO OTHER FORM IS APPLICABLE

From the INTERNATIONAL BUREAU

To:

GERVASI, Gemma  
Notarbartolo & Gervasi S.p.A.  
Corso di Porta Vittoria, 9  
I-20122 Milan  
ITALIE

Date of mailing (day/month/year) 25 March 2004 (25.03.2004)	
Applicant's or agent's file reference 3595PTWO/er	REPLY DUE see paragraph 1 below
International application No. PCT/EP2003/007897	International filing date (day/month/year) 18 July 2003 (18.07.2003)
Applicant DANIELI & C. OFFICINE MECCANICHE S.P.A.	

1. ☐ REPLY DUE within \_\_\_\_\_ months/days from the above date of mailing  
☒ NO REPLY DUE, however, see below  
☒ IMPORTANT COMMUNICATION  
☐ INFORMATION ONLY

2. COMMUNICATION:

Please be informed that the receiving Office has notified the International Bureau that the international filing date for the above-identified international application should read

**18 July 2003 (18.07.2003)**

instead of:

19 July 2003 (19.07.2003)

NOTARBARTOLO & GERVASI MILANO		
RECEIVED		
- 2 APR. 2004		
LA		

A copy of this communication has been sent to the receiving Office RO/EP, and all elected Offices which have been notified of receipt of the record copy.

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. (41-22) 338-7080	Authorized officer Kari HUYNH-KHUONG (Fax : 338 89 75) Telephone No. (41-22) 338.97.80
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# PATENT COOPERATION TREATY

## PCT

**COMMUNICATION IN CASES FOR WHICH  
NO OTHER FORM IS APPLICABLE**

From the INTERNATIONAL BUREAU

To:

GERVASI, Gemma  
Notarbartolo & Gervasi S.p.A.  
Corso di Porta Vittoria, 9  
I-20122 Milan  
ITALIE

Date of mailing ( <i>day/month/year</i> ) 25 March 2004 (25.03.2004)	
Applicant's or agent's file reference 3595PTWO/er	<b>REPLY DUE</b> see paragraph 1 below
International application No. PCT/EP2003/007897	International filing date ( <i>day/month/year</i> ) 18 July 2003 (18.07.2003)
Applicant DANIELI & C. OFFICINE MECCANICHE S.P.A.	

1. ☐ REPLY DUE within \_\_\_\_\_ months/days from the above date of mailing
- ☒ NO REPLY DUE, however, see below
- ☒ IMPORTANT COMMUNICATION
- ☐ INFORMATION ONLY

2. **COMMUNICATION:**

The International Bureau acknowledges receipt of your facsimile dated 15 March 2004 regarding the international filing date.

Please note that, the record copy indicated the date of 19 July 2003 (19.07.2003) as international filing date. The receiving Office has been contacted who confirmed that the correct international filing date should read 18 July 2003 (18.07.2003). Therefore, the international filing date has been corrected to read 18 July 2003 (18.07.2003).

Please note that a republication will take place on 06 May 2004 (06.05.2004).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland  Facsimile No. (41-22) 338-7080	Authorized officer Kari HUYNH-KHUONG (Fax : 338 89 75)  Telephone No. (41-22) 338.97.80
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## PATENT COOPERATION TREATY

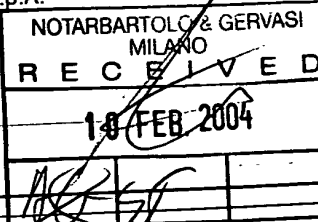
PCT

From the INTERNATIONAL BUREAU

NOTICE INFORMING THE APPLICANT OF THE  
COMMUNICATION OF THE INTERNATIONAL  
APPLICATION TO THE DESIGNATED OFFICES

(PCT Rule 47.1(c), first sentence)

To:

GERVASI, Gemma  
Notarbartolo & Gervasi S.p.A.  
Corso di Porta Vittoria, 9  
I-20122 Milan  
ITALIE

## IMPORTANT NOTICE

Date of mailing (day/month/year)

29-January 2004 (29.01.2004)

Applicant's or agent's file reference  
3595PTWO/erInternational application No.  
PCT/EP2003/007897International filing date (day/month/year)  
19 July 2003 (19.07.2003)Priority date (day/month/year)  
19 July 2002 (19.07.2002)

Applicant

DANIELI &amp; C. OFFICINE MECCANICHE S.P.A. et al

1. Notice is hereby given that the International Bureau has communicated, as provided in Article 20, the international application to the following designated Offices on the date indicated above as the date of mailing of this notice:

AU, AZ, BY, CH, CN, CO, DE, DZ, EP, HU, JP, KG, KP, KR, MD, MK, MZ, RU, TM, US

In accordance with Rule 47.1(c), third sentence, those Offices will accept the present notice as conclusive evidence that the communication of the international application has duly taken place on the date of mailing indicated above and no copy of the international application is required to be furnished by the applicant to the designated Office(s).

2. The following designated Offices have waived the requirement for such a communication at this time:

AE, AG, AL, AM, AP, AT, BA, BB, BG, BR, BZ, CA, CR, CU, CZ, DK, DM, EA, EC, EE, ES, FI, GB, GD, GE, GH, GM, HR, ID, IL, IN, IS, KE, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MG, MN, MW, MX, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, SC, SD, SE, SG, SK, SL, SY, TJ, TN, TR, TT, TZ, UA, UG, UZ, VC, VN, YU, ZA, ZM, ZW

The communication will be made to those Offices only upon their request. Furthermore, those Offices do not require the applicant to furnish a copy of the international application (Rule 49.1(a-bis)).

3. Enclosed with this notice is a copy of the international application as published by the International Bureau on 29 January 2004 (29.01.2004) under No. WO 2004/009259

4. **TIME LIMITS** for filing a demand for international preliminary examination and for entry into the national phase

The applicable time limit for entering the national phase will, subject to what is said in the following paragraph, be 30 MONTHS from the priority date, not only in respect of any elected Office if a demand for international preliminary examination is filed before the expiration of 19 months from the priority date, but also in respect of any designated Office, in the absence of filing of such demand, where Article 22(1) as modified with effect from 1 April 2002 applies in respect of that designated Office. For further details, see *PCT Gazette* No. 44/2001 of 1 November 2001, pages 19926, 19932 and 19934, as well as the *PCT Newsletter*, October and November 2001 and February 2002 issues.

In practice, time limits other than the 30-month time limit will continue to apply, for various periods of time, in respect of certain designated or elected Offices. For regular updates on the applicable time limits (20, 21, 30 or 31 months, or other time limit), Office by Office, refer to the *PCT Gazette*, the *PCT Newsletter* and the *PCT Applicant's Guide*, Volume II, National Chapters, all available from WIPO's Internet site, at <http://www.wipo.int/pct/en/index.html>.

For filing a demand for international preliminary examination, see the *PCT Applicant's Guide*, Volume I/A, Chapter IX. Only an applicant who is a national or resident of a PCT Contracting State which is bound by Chapter II has the right to file a demand for international preliminary examination (at present, all PCT Contracting States are bound by Chapter II).

It is the applicant's sole responsibility to monitor all these time limits.

The International Bureau of WIPO  
34, chemin des Colombettes  
1211 Geneva 20, Switzerland

Facsimile No.(41-22) 740.14.35

Form PCT/IB/308 (April 2002)

Authorized officer

Gijsbertus Beijer - Carlos Roy

Telephone No.(41-22) 338.91.11

## PATENT COOPERATION TREATY

PCT

From the INTERNATIONAL BUREAU

INFORMATION CONCERNING ELECTED  
OFFICES NOTIFIED OF THEIR ELECTION

(PCT Rule 61.3)

To:

GERVASI, Gemma  
Notarbartolo & Gervasi S.p.A.  
Corso di Porta Vittoria, 9  
I-20122 Milan  
Italy

Date of mailing (day/month/year) 19 March 2004 (19.03.2004)		
Applicant's or agent's file reference 3595PTWO/er		IMPORTANT INFORMATION
International application No. PCT/EP2003/007897	International filing date (day/month/year) 19 July 2003 (19.07.2003)	Priority date (day/month/year) 19 July 2002 (19.07.2002)
Applicant DANIELI & C. OFFICINE MECCANICHE S.P.A. et al		

1. The applicant is hereby informed that the International Bureau has, according to Article 31(7), notified each of the following Offices of its election:

EP : AT,BE,BG,CH,CY,CZ,DE,DK,EE,ES,FI,FR,GB,GR,HU,IE,IT,LU,MC,NL,PT,RO,SE,  
SI,SK,TR  
National : BG,CA,CN,DE,GB,IL,JP,KP,KR,MN,NO,PL,RO,RU,SK,US

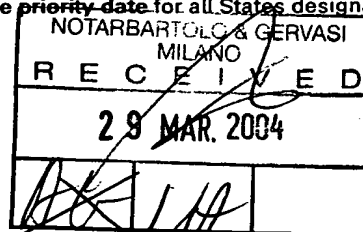
2. The following Offices have waived the requirement for the notification of their election; the notification will be sent to them by the International Bureau only upon their request:

AP : GH,GM,KE,LS,MW,MZ,SD,SL,SZ,TZ,UG,ZM,ZW  
EA : AM,AZ,BY,KG,KZ,MD,RU,TJ,TM  
OA : BF,BJ,CF,CG,CI,CM,GA,GN,GQ,GW,ML,MR,NE,SN,TD,TG  
National : AE,AG,AL,AM,AT,AU,AZ,BA,BB,BR,BY,BZ,CH,CO,CR,CU,CZ,DK,DM,DZ,EC,  
EE,ES,FI,GD,GE,GH,GM,HR,HU,ID,IN,IS,KE,KG,KZ,LC,LK,LR,LS,LT,LU,LV,MA,MD,  
MG,MK,MW,MX,MZ,NI,NZ,OM,PG,PH,PT,SC,SD,SE,SG,SL,SY,TJ,TM,TN,TR,TT,TZ,UA,  
UG,UZ,VC,VN,YU,ZA,ZM,ZW

3. The applicant is reminded that he must enter the "national phase" before the expiration of 30 months from the priority date before each of the Offices listed above. This must be done by paying the national fee(s) and furnishing, if prescribed, a translation of the international application (Article 39(1)(a)), as well as, where applicable, by furnishing a translation of any annexes of the international preliminary examination report (Article 36(3)(b) and Rule 74.1).

Some offices have fixed time limits expiring later than the above-mentioned time limit. For detailed information about the applicable time limits and the acts to be performed upon entry into the national phase before a particular Office, see Volume II of the PCT Applicant's Guide.

The entry into the European regional phase is postponed until 31 months from the priority date for all States designated for the purposes of obtaining a European patent.



The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. (41-22) 338-7080	Authorized officer: Allie Patrizia Telephone No. (41-22) 338 9304
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# PATENT COOPERATION TREATY

From the INTERNATIONAL BUREAU

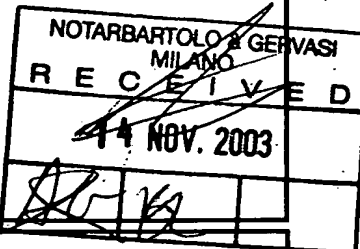
## PCT

### NOTIFICATION RELATING TO DECLARATION MADE UNDER PCT RULE 4.17

(PCT Rules 26ter.2(b), 47.1(a-ter) and 48.2(a)(x)  
and Administrative Instructions, Section 419)

To:

GERVASI, Gemma  
Notarbartolo & Gervasi S.p.A.  
Corso di Porta Vittoria, 9  
I-20122 Milan  
ITALIE



Date of mailing (day/month/year) 30 October 2003 (30.10.03)	
Applicant's or agent's file reference 3595PTWO/er	<b>IMPORTANT NOTIFICATION</b>
International application No. PCT/EP03/07897	International filing date (day/month/year) 19 July 2003 (19.07.03)
Applicant DANIELI & C. OFFICINE MECCANICHE S.P.A.	

1. The applicant is hereby notified of the following regarding the declaration indicated below in respect of  
(name(s) indicated in the declaration) BURCO; MAESTRUTTI; SCHROEDER;
  - (i) ☐ declaration as to the identity of the inventor (Rules 4.17(i) and 51bis.1(a)(i) and Section 211)
  - (ii) ☐ declaration as to the applicant's entitlement, as at the international filing date, to apply for or be granted a patent (Rules 4.17(ii) and 51bis.1(a)(ii) and Section 212)
  - (iii) ☐ declaration as to the applicant's entitlement, as at the international filing date, to claim priority of the earlier application (Rules 4.17(iii) and 51bis.1(a)(iii) and Section 213)
  - (iv) ☒ declaration of inventorship (for the purposes of the designation of the United States of America) (Rules 4.17(iv) and 51bis.1(a)(iv) and Section 214)
  - (v) ☐ declaration as to non-prejudicial disclosures or exceptions to lack of novelty (Rules 4.17(v) and 51bis.1(a)(v) and Section 215)
  
2. ☒ **Addition or correction of the declaration within the time limit under Rule 26ter.1.**  
  
 The added or corrected declaration was received on (date), 27 october 2003 (27.10.03) which was received within the time limit under Rule 26ter.1.  
  
 Any declaration referred to under items 1(i) to (iv) whether or not the declaration complies with Rule 4.17, will be communicated to the designated Offices concerned pursuant to Rule 47.1(a-ter) and any declaration referred to under item 1(v) will be published as part of the pamphlet pursuant to Rule 48.2(a)(x).
  
3. ☐ **Failure to add or correct the declaration within the time limit under Rule 26ter.1.**  
  
 The declaration, was received on (date) \_\_\_\_\_ which was after the expiration of the time limit under Rule 26ter.1; therefore, any such declaration referred to under items 1(i) to (iv) will not be communicated to the designated Offices concerned, any such declaration referred to under item 1(v) will not be published as part of the pamphlet, and any signed declaration referred to under item 1(iv) is attached. Such declaration should be submitted by the applicant directly to the designated Offices concerned.
  
4. The applicant's attention is drawn to Rule 51bis.2 which provides that the designated Office shall not, unless it may reasonably doubt the veracity of the declaration concerned, require any document or evidence relating to the subject matter of any declaration complying with Rule 4.17(i) to (iv) which is contained in the request or submitted to the International Bureau or directly to the designated Office. Note, however, that Rule 51bis.2 may not apply in respect of certain States. For further information, see Notes to the request form, Box No. VIII.
  
5. A copy of this notification is being sent to the receiving Office and the International Searching Authority.

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer <p style="text-align: center; font-weight: bold;">Evelyne DURAND</p>
Facsimile No. (41-22) 338-7080	Telephone No. (41-22) 338.82.36

**Box No. VIII (iv) DECLARATION: INVENTORSHIP** (only for the purposes of the designation of the United States of America)  
*The declaration must conform to the following standardized wording provided for in Section 214; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (iv). If this Box is not used, this sheet should not be included in the request.*

**Declaration of inventorship (Rules 4.17(iv) and 51bis.1(a)(iv))  
 for the purposes of the designation of the United States of America:**

I hereby declare that I believe I am the original, first and sole (if only one inventor is listed below) or joint (if more than one inventor is listed below) inventor of the subject matter which is claimed and for which a patent is sought.

This declaration is directed to the international application of which it forms a part (if filing declaration with application).

This declaration is directed to international application No. PCT/ EPO3/07897 (if furnishing declaration pursuant to Rule 26ter).

I hereby declare that my residence, mailing address, and citizenship are as stated next to my name.

I hereby state that I have reviewed and understand the contents of the above-identified international application, including the claims of said application. I have identified in the request of said application, in compliance with PCT Rule 4.10, any claim to foreign priority, and I have identified below, under the heading "Prior Applications," by application number, country or Member of the World Trade Organization, day, month and year of filing, any application for a patent or inventor's certificate filed in a country other than the United States of America, including any PCT international application designating at least one country other than the United States of America, having a filing date before that of the application on which foreign priority is claimed.

Prior Applications: Italy No. MI2002A001594 of 19 July 2002

I hereby acknowledge the duty to disclose information that is known by me to be material to patentability as defined by 37 C.F.R. § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the PCT international filing date of the continuation-in-part application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name: Franco BURCO

Residence: PRADAMANO - ITALY

(city and either US state, if applicable, or country)

Mailing Address: Via Muraglie 5 - 33040 PRADAMANO - ITALY

Citizenship: Italian

Inventor's Signature: *[Signature]*  
 (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)

Date: 3 October 2003

(of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)

Name: Loris MAESTRUTTI

Residence: BUTTRIO - ITALY

(city and either US state, if applicable, or country)

Mailing Address: Via F. Renati 3 - 35042 BUTTRIO - ITALY

Citizenship: Italian

Inventor's Signature: *[Signature]*  
 (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)

Date: 3 October 2003

(of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)

☒ This declaration is continued on the following sheet, "Continuation of Box No. VIII (iv)".

## Continuation of Box No. VIII (i) to (v) DECLARATION

*If the space is insufficient in any of Boxes Nos. VIII (i) to (v) to furnish all the information, including in the case where more than two inventors are to be named in Box No. VIII (iv), in such case, write "Continuation of Box No. VIII ..." (indicate the item number of the Box) and furnish the information in the same manner as required for the purposes of the Box in which the space was insufficient. If additional space is needed in respect of two or more declarations, a separate continuation box must be used for each such declaration. If this Box is not used, this sheet should not be included in the request.*

## CONTINUATION OF BOX NO. VIII (iv) DECLARATION: INVENTORSHIP

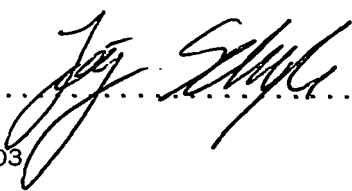
Name: Joerg SCHROEDER

Residence: DUISBURG - GERMANY

(city and either US state, if applicable, or country)

Mailing Address: Hochemmericher Strasse 147 - 47441 MOERS - GERMANY

Citizenship: German

Inventor's Signature:  .....

Date: 3 October 2003

Name:

Residence:

(city and either US state, if applicable, or country)

Mailing Address:

Citizenship:

Inventor's Signature: .....

Date:

Name:

Residence:

(city and either US state, if applicable, or country)

Mailing Address:

Citizenship:

Inventor's Signature: .....

Date: